

REMARKS

Claims 1-25 are present in this application. Claims 1, 10, 11, 13, and 14 are independent claims.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Status of Claims re Election of Species

Applicants request allowance of claims that had been previously indicated as being allowable, at least because no serious burden would exist in examining those claims.

According to M.P.E.P. § 803: “If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.”

Thus, Applicants request allowance of at least previously allowable claims 10, 11, 13, and 14. In addition, Applicants believe that no serious burden exists in considering respective dependent claims, as well as independent claim 1. Claim 1 and dependent claims have been previously examined on the merits.

The original claim set contained independent claims 1 and 15. An election of species requirement was issued on July 28, 2006, which resulted in election of claims 1, 8-14, 16, and 17. Claim 1 was indicated as being generic.

An Office Action was sent on October 30, 2006, in which dependent claims 10, 11, 13, and 14 were indicated as containing allowable subject matter. Subsequently, an Amendment was filed on January 26, 2007, in which claims 10, 11, 13, and 14 were re-written into independent form. At this point, claims 10, 11, 13, and 14 were in condition for allowance. Claim 1 had been amended to clarify the differences over Ikeda.

A second election of species requirement was issued April 16, 2007. Claims 11, 20, and 21 were elected.

In the outstanding Office Action, claim 11 is indicated as being allowed.

Because claims 10, 13, and 14 had previously been indicated as containing allowable subject matter, and because claim 1 had been amended to clarify the differences over Ikeda, Applicants respectfully request allowance of independent claims 1, 10, 11, 13, and 14, as well as respective dependent claims.

Claim Objection

Claims 20 and 21 had been objected to for minor informalities. Accordingly, Applicants have amended claim 21 and canceled claim 20 in order to correct the minor informality. Applicants request that the objection be reconsidered and withdrawn.

§ 101 Rejection

Claim 20 has been rejected under 35 U.S.C. 101 as being drawn to non-statutory subject matter. Accordingly, Applicants have amended claim 21 and canceled claim 20 in order to claim statutory subject matter. Applicants request that the objection be reconsidered and withdrawn.

With respect to comparable claims 17, 19, 23, and 25, Applicants have canceled claims 16, 18, 22, and 24, and amended claims 17, 19, 23, and 25 in a manner similar to claim 21. Accordingly, for the reasons above for claim 21, Applicants submit that claims 17, 19, 23, and 25 are directed to patentable subject matter, as well.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs Reg. No. 48,222 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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